

PTO/PCT Rec'd 08 SEP 1998

09/051670

PATENT

Atty. Docket No. FJN-063
(3999/66)

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

(Original, Design, National Stage of PCT, Supplemental, Divisional, Continuation or CIP)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NOVEL DNA AND PROCESS FOR PREPARING PROTEIN USING THE DNA

the specification of which (check one):

is attached hereto.

☒ was filed on April 16, 1998 as Application Serial No. 09/051,670 or

was described and claimed in PCT International Application No. filed on and as amended under PCT Article 19 on (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to herein.

I acknowledge the continuing duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. §1.56.

PRIORITY CLAIM

- A. I hereby claim benefit under 35 U.S.C. 119(e) of United States Provisional Application No. , filed on .
- B. I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and I have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.
no such applications have been filed.

09051670-090660

such applications have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN
12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO
THIS U.S. APPLICATION**

| Country | Application Number | Date of Filing (mo., day, year) | Priority Claimed Under 35 USC 119 | |
|---------|-----------------------|------------------------------------|--------------------------------------|----|
| | | | YES | NO |
| | | | YES | NO |
| | | | YES | NO |
| | | | YES | NO |

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN
12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO
THIS U.S. APPLICATION**

| Country | Application Number | Date of Filing (mo., day, year) | Priority Claimed Under 37 USC 119 |
|---------|-----------------------|------------------------------------|--------------------------------------|
| Japan | 235928/1996 | August 19, 1996 | YES |

- C. I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

**PRIOR U.S. NON-PROVISIONAL APPLICATIONS OR PCT INTERNATIONAL
APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC §120:**

| U.S. APPLICATIONS | U.S. FILING DATE | STATUS |
|--------------------------|------------------|--------------------------------------|
| PCT/JP97/02859 | August 19, 1997 | Pending |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, aband.) |
| | | |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, aband.) |

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095160-090303

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Reg. No. 31,481
Reg. No. P-43,321
Reg. No. P-41,640
Reg. No. 36,471
Reg. No. P-41,670
Reg. No. 38,116
Reg. No. P-41,722
Reg. No. 38,678
Reg. No. 41,047
Reg. No. 41,059
Reg. No. P-43,334
Reg. No. 35,574
Reg. No. 40,060
Reg. No. 40,702
Reg. No. 40,704
Reg. No. P-42,870
Reg. No. 36,989
Reg. No. 27,829
Reg. No. 40,137
Reg. No. 40,792
Reg. No. P-43,093
Reg. No. 39,382
Reg. No. 35,370
Reg. No. 35,393
Reg. No. 35,722
Reg. No. 38,349
Reg. No. 39,061
Reg. No. 41,418

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

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